

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

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In the Matter of )  
Implementation of Section 621(a)(1) of )  
the Cable Communications Policy Act of 1984 ) MB Docket No. 05-  
311  
as amended by the Cable Television Consumer )  
Protection and Competition Act of 1992 )

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**COMMENTS OF THE CITY OF TAYLOR, MICHIGAN**

These Comments are filed by the City of Taylor, Michigan, in support of the comments filed by the National League of Cities ("NLC") and the National Association of Telecommunications Officers and Advisors ("NATOA"). Like NLC and NATOA, the City of Taylor believes that local governments can issue an appropriate local franchise for new entrants into the video services field on a timely basis, just as they have for established cable services providers. In support of this belief, we wish to inform the Commission about the facts of video franchising in our community.

**Cable Franchising in Our Community**

**Community Information**

The City of Taylor is a City with a population of approximately 66,000 residents. Our franchised cable providers are Comcast and Wide Open West ("WOW"). Our community has negotiated cable franchises since 1980.

**Competitive Cable Systems**

Our community has not denied any provider the opportunity to serve in our community. Our community granted a competitive franchise to Ameritech New Media ("Ameritech"), a cable overbuilder, in April, 1998, and the successor to that provider, Wide Open West ("WOW"), is providing service in our community today. The only material difference between the agreements of the incumbent provider, Comcast, and WOW is that WOW pays an additional one (1%) percent franchise fee instead of providing identical services, programming and equipment of Comcast related to PEG activities. The additional one (1%) percent was suggested by WOW to which the City agreed.

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The negotiations with Ameritech progressed quickly and seamlessly, taking less than thirty (30) days to conclude, as the community and Ameritech agreed to

use the incumbent provider Comcast's agreement as a template for the Ameritech cable franchise agreement. The concept of a "level playing field" was important to both parties. The build out of the Ameritech new Media cable system covering the entire community (identical to Comcast), to which WOW succeeded, took approximately twenty-four (24) months from April 1998.

### Conclusions

The local cable franchising process functions well in the City of Taylor. As the above information indicates, we are experienced at working with cable providers to both see that the needs of the local community are met and to ensure that the practical business needs of cable providers are taken into account.

Local cable franchising ensures that local cable operators are allowed access to the rights of way in a fair and evenhanded manner, that other users of the rights of way are not unduly inconvenienced, and that uses of the rights of way, including maintenance and upgrade of facilities, are undertaken in a manner which is in accordance with local requirements. Local cable franchising also ensures that our local community's specific needs are met and that local customers are protected.

Local franchises thus provide a means for local government to appropriately oversee the operations of cable service providers in the public interest, and to ensure compliance with applicable laws. There is no need to create a new Federal bureaucracy in Washington to handle matters of specifically local interest.

Finally, local franchises allow each community, including ours, to have a voice in how local cable systems will be implemented and what features (such as PEG access, institutional networks or local emergency alerts, etc.) will be available to meet local needs. These factors are equally present for new entrants as for existing users.

The City of Taylor, therefore, respectfully requests that the Commission do nothing to interfere with local government authority over franchising or to otherwise impair the operation of the local franchising process as set forth under existing Federal law with regard to either existing cable service providers or new entrants.

Respectfully submitted,

City of Taylor, a Michigan  
municipal corporation

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